

## Frequently Asked Questions

### ***What is the U.S. Army Corps of Engineers' relationship with the applicant?***

The U.S. Army Corps of Engineers (USACE) has no relationship with the applicant and no vested interest in the project. The USACE has a responsibility to review the applicant's proposed project and make a permit decision under the USACE statutory authorities.

### ***Is the Pebble Project already approved and going to be built? What is the USACE role in reviewing this project?***

The Pebble Project has conducted exploration activities, but requires permits from several federal, state, and municipal agencies before it can be built.

The USACE is authorized to issue or deny permits for activities within its jurisdiction. In this case, a decision whether to issue or deny a permit under Section 404 of the Clean Water Act and a decision whether or not to authorize activities under Section 10 of the Rivers and Harbors Act. The decision *cannot* be made until the National Environmental Policy Act (NEPA) process has been completed and a record of decision has been made. For this project, an Environmental Impact Statement (EIS) will be prepared.

### ***Why is the USACE conducting an EIS for this project?***

NEPA mandates an EIS-level of analysis could be conducted for review of any potential federal authorizations that could "significantly affect the quality of the human environment". The USACE has determined that the proposed project may have a significant effect on the human environment.

### ***Who are the other federal, state, and local permitting agencies, and what is their role with the project and the EIS?***

Other parties that must permit the project include the U.S. Department of the Interior Bureau of Safety and Environmental Enforcement, the U.S. Coast Guard, the State of Alaska, and the Lake and Peninsula Borough.

The USACE has invited these agencies to participate as cooperating agencies in preparing the EIS. They may use the results of the EIS during review of permit applications.

### ***Will the USACE seriously consider the No Action Alternative and what factors might lead to its selection?***

The USACE cannot be pre-decisional, therefore the process will be required to analyze and consider the No Action Alternative. Factors that might lead to its selection would be if XXXXX.

### ***What is the Least Environmentally Damaging Practicable Alternative (LEDPA) and how does the USACE identify it?***

The LEDPA is a statutory requirement integral in the development and analysis of alternatives. The EPA's regulations at 40 CFR 230 describe a suite of considerations, but the short answer would be the USACE can only authorize the LEDPA in light of the overall purpose and with considerations given to practicability: asking if can it be done given the cost, logistics, and existing technology.

***What is the role of the third party contractor in preparing the EIS, and who do they answer to?***

AECOM has been selected to provide an independent analysis of the Pebble Mine Project as proposed under the sole direction of the U.S. Army Corps of Engineers.

***What is the role of various Alaska Native Stakeholders in the EIS process and what weight is given to their comments?***

Executive Order 13175 requires that federal agencies consult with federally recognized federal governments when making a decision or approving a permit that potentially affects those tribes. CEQ regulations provide further guidance on the role of federally recognized tribal governments as a cooperating agency in the preparation of an EIS.

The participation of, and comments from, other potentially affected Alaska Native stakeholders such as ANCSA corporations, regional non-profit organizations, and municipal governments is also important, and efforts will be made to engage them.

*Alaska Native Stakeholders are especially important in providing information regarding traditional knowledge, including use of the area and associated resources and many other public interest factors.*

***How will my comments be considered in preparing the EIS?***

While public comments can be submitted at any time during the preparation of an EIS, they are formally requested during two important phases of an EIS:

- \* During the Scoping Period, the public is asked to comment on the issues and potential impacts that should be addressed in the EIS. The public is also asked to suggest alternatives to the proposed action that should be considered for evaluation in the EIS.
- \* Once the Draft EIS is released for public review and comment, the public is given the opportunity to submit comments in written form via the project website, and orally at public meetings on the Draft EIS.
- \* All comments submitted will be put into the record, analyzed, and considered in determining the scope and potential impacts within the EIS, and in making changes to the Draft EIS during the preparation of the Final EIS.
- \* The USACE is required to prepare responses to comments submitted on the Draft EIS; comments submitted and response will be included in the Final EIS.

***Why does the public have to comment so many times on individual permit applications?***

Unfortunately, each permitting agency has unique public involvement requirements, and often the requirements overlap. Each agency will consider your comments in its capacity for a different decision, permit, or authority.

***If the USACE has a complete application, why are they preparing an EIS?***

The regulations dictate what is considered a complete application for the beginning of the process, but it is understood that the amount of information needed for the 404 (b)(1) analysis and the Public Interest Review is more substantial than the information needed to begin the review. When the application was received, it was determined that an EIS level of analysis would be required to make decisions on the proposal.